



**STATE OF MISSISSIPPI
OFFICE OF THE STATE AUDITOR
SHAD WHITE
STATE AUDITOR**

OSA Circular No. 11 (originally issued March 24, 1993)

**OFFICIAL REGULATIONS
CONTRACTS WITH PRIVATE
COLLECTION AGENCIES**

The following regulations are established by the Office of the State Auditor to be followed when county boards of supervisors contract with private attorneys or private collection agents or agencies to collect delinquent payments. These regulations are effective March 24, 1993.

1. Any such contract may be entered into by negotiation.
2. Any such contract may provide for payment contingent upon successful collection.
3. Payment may be based upon a percentage of all delinquent payments collected.
4. Any private attorney, private collection agent, or agency contracting with the county under this act shall give bond or surety to the county in such amount as the board of supervisors deems sufficient.
5. Any private attorney with whom the county contracts must be a member in good standing of the Mississippi Bar Association.
6. Any private collection agent or agency with whom the county contracts must meet all licensing requirements for doing business in the State of Mississippi.

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7. The contract shall state neither the county nor any officer or employee of the county shall be liable, civilly or criminally, for any wrongful or unlawful act or omission of any person or business with whom the county has contracted under the provisions of this act.
8. The entire amount of delinquent payment collected shall be remitted to the county and shall not be reduced by any collection fees.
9. Delinquent payments collected shall be settled to the office or authority which had the authority and responsibility to collect such fees and fines originally.
10. An itemized claim for any collection fee must be presented to the board of supervisors for its consideration for payment.